

**CITY OF BROKEN ARROW
PLANNING COMMISSION MEETING
MINUTES
February 27, 2003**

The Planning Commission Agenda for this meeting was posted on February 21, 2003, at 9:00 a.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, February 27, 2003, at 5:01 p.m.
2. Present: Robert Goranson, Chairman
Renate Caldwell, Vice Chairperson
Mike Lester, Commission Member
Johnnie Parks, Commission Member

Absent: Kal Desai, Commission Member

Staff Present: Farhad K. Daroga, City Planner
Brent Murphy, Ass't City Planner
Karl Fritschen, Staff Planner
Joyce Snider, Admin Ass't
April Parnell, Assistant City Attorney
Jeff Westfall, Engineering Dept
Don Slone, Community Development Coordinator
3. The Commission considered the minutes of the regular Planning Commission meeting held February 13, 2003. **Motion** by Johnnie Parks to approve the February 13, 2003, minutes as mailed. Motion seconded by Renate Caldwell.
Yes: Parks, Caldwell, Goranson
No: None
Abstain: Lester
Motion Approved
- 4A. The Commission considered BAZ 1590, Broken Arrow Neighbors, R-3 to O-1, southeast corner of Cedar Avenue and College Street, Tulsa Engineering & Planning Associates, Inc. (Applicant). Farhad Daroga presented the background, saying this application was continued from the February 13, 2003 Planning Commission meeting. He said a revised site plan has been submitted by the applicant which shows that the house located on this property will be demolished and that part of the property will be used as a parking lot, the property east of this tract has a house which will be remodeled and a new facility will be built on the south half of the block.

Tim Terral, Tulsa Engineering & Planning Associates, Inc. 8209 East 63rd Place South, Tulsa, said the plan shows 45 to 50 parking spaces. He said the home on that site was scheduled for demolition tomorrow, but due to the weather, it will be delayed for a few days. However, it is imminent. He said the subject tract will be used for parking. He said the smaller home to the east will be used for a medical clinic.

4A. continued

Johnnie Parks said his main concern was to be able to hear this again, to make sure the older structure was going to be torn down. He said his questions had been answered.

Jim Dresher, a nearby resident, asked what will happen to the house on the east side on Broadway. Tim Terral said that house will be demolished at the same time as the other building.

Farhad Daroga said Staff recommends approval of BAZ 1590. There were two owners of adjoining property present. Lynn Palmer, representing Broken Arrow Neighbors was also present.

Motion by Johnnie Parks to recommend approval of BAZ 1590 as recommended by Staff. The motion was seconded by Mike Lester.

Yes: Parks, Lester, Caldwell, Goranson

No: None

Motion Approved

Bob Goranson said BAZ 1590 would be heard by the City Council on March 17, 2003.

- 4B. The Commission considered SP 176, Assembly of God Church, 6.03 acres, 200 East Broadway, between College Street and Commercial Street, between First and Third Streets, Devin Rohr (Applicant). Farhad Daroga presented the background, saying this item was reviewed in the meeting of February 13, 2003, and after the last meeting, City Staff, concerned property owners, and church and school representatives met and discussed parking and traffic problems. He said included in the Planning Commissioners' packets is a letter from the City Public Works Department and he understands that the church has relocated their pickup and dropoff points on the east side of the building onto the parking lot, so there will not be any children picked up on the street. He said basically, that is the gist of the agreement they came up with and the church and school representatives are present at this meeting.

Bob Goranson said when this matter was continued, there were two unresolved issues: One was the offstreet dropoff and pickup points.

Devin Rohr, Administrative Pastor, Assembly of God church, 118 East Commercial, Broken Arrow, said after the meeting held on February 13, 2003, understanding that traffic congestion was a major issue, he and Dr. Nelson met the next day and implemented a plan to go into effect the following week. He said the plan has been in effect since that time and is working very well. Traffic is not backing up on Commercial Street and even if the school experiences growth, three or four lanes of parking can be used to complete the dropoff and that will eliminate the congestion for now and for future growth. He said the kindergarden and smaller classrooms are being dropped off on the north side of the main building, which is College Street. He said they met with Moore's Dance Studio, whose concern was they thought the school was trying to close First Street and that was not their intention. He said once Moore's understood that was not the case and their on-street parking would not be interfered with, they were fine with that.

Bob Goranson asked when the program was implemented and Devin Rohr said it was the Monday after the meeting, the 19th or 18th.

Bob Goranson said the City Council direction included that no parking signs be placed within 50 feet of the crosswalk.

4B. continued

Devin Rohr said he received a letter today from the Public Works Department and they have clarified that Item Nos. 4 and 5 of the original 10, that they will not need the stop for pedestrians sign and the no parking sign, because they have blocked off two parking spots on either side of the traffic signal which eliminates the blind spot they were concerned about.

Bob Goranson asked how they are blocking them off and Devin Rohr said they have painted stripes and closed off those parking areas. Bob Goranson asked if that's what the Public Works Department is saying that the school does not need the no parking signs because the parking places are striped. Devin Rohr answered, yes. Bob Goranson asked if Staff is in agreement with that. Farhad Daroga said he thought the intention was to prohibit parking in those particular areas. Devin Rohr said the school currently puts cones all along Broadway to deter people from parking there any time during the day. He said the City said, let's go ahead and stripe these two parking spots on either side of the crosswalk so that no one ever parks there and if someone does park there during the week, they could be ticketed. Bob Goranson said the Council said to place no parking signs within 50 feet of the crosswalk and he assumed they meant 24 hours a day, 7 days a week. Devin Rohr said that was some of the conversation they had in a meeting with Don Slone, Officer Ferguson and one of the City engineers and during that discussion, they felt it was not necessary to have no parking 24 hours a day, 7 days a week in regard to when the church is meeting on Sunday because there isn't a congestion or traffic problem or a safety factor in allowing people to park on Broadway at that time.

Bob Goranson said there is no signage out there now. Devin Rohr said the letter from the Public Works Department said it isn't necessary to put the no parking signs up because they have striped it and blocked off parking. Bob Goranson said being striped and no parking should address the 24-7. Devin Rohr said, yes. Bob Goranson said the only difference is between striping and signage and asked if Staff agrees with that. Farhad Daroga asked if anyone within the Staff had heard anything different and no one responded.

Farhad Daroga said Staff recommends approval of SP 176 with the listed conditions and modification of Item No. 5 as recommended by the Public Works and Police Department, which he understands has already been implemented.

Motion by Johnnie Parks to approve SP 176 as recommended by Staff and complimented Staff on their handling of the matter. The motion was seconded by Renate Caldwell who thanked everyone involved and said her main concern was the safety of the children.

Yes: Parks, Lester, Caldwell, Goranson

No: None

Motion Approved

Bob Goranson said SP 176 would be heard by the City Council on March 17, 2003.

5. The Commission considered the Consent Agenda. Farhad Daroga reviewed each item on the Consent Agenda.

Motion by Johnnie Parks to approve the Consent Agenda, as recommended by Staff, Motion seconded by Mike Lester.

Yes: Parks, Lester, Caldwell, Goranson

No: None

Motion approved

CONDITIONAL FINAL PLATS

- 5A. PT01-105, DN01-130, Knight Acres, Life Baptist Church conditional final plat, 19.9 acres, R-1, SP 89, one-third mile south of Houston (81st) Street on the west side of Olive (129th East) Avenue, Cox & Associates, Inc. (Engineer). The applicant was not present. This item was approved as recommended by Staff.
- 5B. PT03-103, DN03-116, Creekridge Office Park conditional final plat, PUD 125, 2.13 acres, 2 lots, one-quarter mile north of Houston (81st) Street, on east side of Aspen (145th) Avenue, Tulsa Engineering & Planning Associates, Inc. (Engineer). The applicant was present. This item was approved as recommended by Staff.
- 5C. PT03-104, DN03-117, Richland Park Amendment, 0.19 acres, R-2, Lot 19, Block 1, of Richland Park, 6012 South Date Avenue, Donald A. Lepp (Applicant). Stephen Schuller, attorney representing the applicant, was present. This item was approved as recommended by Staff.
- 5D. ST03-102, DN02-192, Splash Car Wash & Lube landscape plan, 0.934 acres, C-4, (BAZ 1574) one-fourth mile east of 9th Street (Lynn Lane) on the south side of Kenosha Street, Sisemore Weisz & Associates (Applicant). The applicant was present. This item was approved as recommended by Staff.
- 5E. BAL 830, DN03-118, lot split, R-3/PUD 31-C-1, Reserve "A" at Woodland Park at Aspen Creek V, Tulsa Engineering & Planning (Applicant). The applicant was present. This item was approved as recommended by Staff.

END OF CONSENT AGENDA

6. The Commission considered BAZ 1592, 0.48 acres, SP 89, C-5 to C-3, north of the northeast corner of Elm Place and Florence (111th) Street, Stephen A. Schuller for Quik Trip Corporation. Farhad Daroga presented the background, saying the purpose of rezoning this property is to match the zoning with the Quik Trip property on the south side which is zoned C-3. He said the majority of this site will be used for a restaurant.

Stephen Schuller, attorney for Quik Trip Corporation, said the property is being rezoned to eliminate the 30 foot setback requirement on either side of the property. He said they agree with the Staff recommendations. There were no protestants.

6. continued

Motion by Mike Lester to recommend approval of BAZ 1592 as recommended by Staff. The motion was seconded by Renate Caldwell.

Yes: Parks, Lester, Caldwell, Goranson

No: None

Motion Approved

Bob Goranson said BAZ 1590 would be heard by the City Council on March 17, 2003.

7. The Commission considered BAZ 1593, 10.29 acres, A-1 to C-5 and I-1, northeast corner of Houston (81st) Street and State Highway 51, Tulsa Engineering & Planning Associates, Inc. (Applicant). Farhad Daroga presented the background, saying the property is a trapezoidal piece located on the southeast corner Highway 51 and the Muskogee Turnpike. He said the rezoning request conforms to the Comprehensive Plan.

Johnnie Parks asked if all the property is zoned A-1 and Farhad Daroga said it was.

Tim Terral, Tulsa Engineering & Planning Associates, Inc., 8209 East 63rd Place South, Tulsa, said they are in agreement with the Staff recommendations. There were no protestants. Bill Wiles, representing the property owner, was present.

Motion by Mike Lester to recommend approval of BAZ 1593 as recommended by Staff. The motion was seconded by Johnnie Parks.

Yes: Parks, Lester, Caldwell, Goranson

No: None

Motion Approved

Bob Goranson said BAZ 1593 would be heard by the City Council on March 17, 2003.

8. **ITEMS REMOVED FROM CONSENT AGENDA**

None.

9. **DISCUSSION ITEMS**

- 9A. The Commission reviewed a proposed Section 21, Article VIII, of Zoning Ordinance (No. 1560) Outdoor Lighting. Farhad Daroga said this revised draft has been through several reviews by Staff.

Don Slone outlined the Staff work that has been done on this proposal and the method of determining violations and penalties for violation, which is a Class C offense, or non-issuance of occupancy permits. Enforcement was discussed as well as the two options of control, i.e. fixture height and photometric measurement. It was clarified that if a complaint is received, the pole owner will, be notified by the City and will be required to prove his lights meet the code requirements. The maximum foot candles allowed was discussed and the maximum fixture height. Don Slone said the latter could be clarified by striking the allowable height in the fixture standard and changing the text of Item 4 of the fixture standard, which would make it consistent with Item 6 and the photometric standard on the height.

9A. continued

April Parnell said this ordinance may violate the PSO franchise. Don Slone said this doesn't deal with PSO at all. Discussion followed.

Further discussion followed and Don Slone said a draft ordinance would be presented to the Planning Commission at their next meeting for the public hearing.

9B. The Commission reviewed the Broken Arrow Planning Commission Bylaws in regard to items removed from the Consent Agenda being heard immediately after approval of the Consent Agenda. The Commission members expressed their agreement with the change regarding the Consent Agenda items.

Bob Goranson brought up the question of limiting speakers and/or cases to a certain length of time. Mike Lester suggested a 30 minute cap for each case and this was discussed. Johnnie Parks said he hasn't seen a problem at the Planning Commission level. Discussion followed regarding providing the control desired and Renate Caldwell said she had a problem with repetitive statements from the audience. Bob Goranson asked if Sturgis (Rules of Order) refers to time limits. April Parnell said it is up to the Commission to set a time limit if they want one. Discussion followed regarding the use of sign-in sheets, either before a meeting begins or before an item is initiated. April Parnell said the City Attorney said the City Council does not like that approach because it inhibits people from speaking. Farhad Daroga said there is a cost in good will in requiring sign-ups and talked about his experience with this. Don Slone suggested that sign-in sheets would work better. The Commission discussed various options in limiting speakers' speaking time. Farhad Daroga asked if the Commission wanted this to apply to all items and the Commission said they did. The Commission discussed whether to limit the speakers or the item involved and how to do that. The Commission decided to think about the issues involved and discuss it further at the next meeting.

9C. The Commission reviewed amendment to Sections 1.5, 2.6, 3.6, 3A.5 and 4.5, Article VI of Zoning Ordinance (No. 1560) amending standards for building heights in RE, R-1, R-1S and R-2 zoning districts, exempting religious symbols. Don Slone presented the background and said the Commission has in their packet a draft ordinance. Bob Goranson asked about the grade and mean lot elevation requirements and it was clarified that the ordinance does not provide for free-standing bell towers, minarets, obelisks and these do not qualify for the exception. He said this item is set for a public hearing on March 13, 2003.

10. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF**
(NO ACTION)

None.

11. **Motion** by Mike Lester at 6:35 p.m. to adjourn. The motion was seconded by Renate Caldwell.
Yes: Parks, Lester, Caldwell, Goranson
No: None
Motion approved.